

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA

(1) JAMES D. BUCHANAN, )  
                                )  
Plaintiff,                 )  
                                )  
vs.                         )              Case No.: 18-CV-171-Raw  
                                )  
(1) TURN KEY HEALTH CLINICS, LLC,     )  
(2) ROB FRAZIER, in his official capacity as     )  
Muskogee County Sheriff,                 )  
(3) BOARD OF COUNTY COMMISSIONERS     )  
OF MUSKOGEE COUNTY,                     )  
(4) DR. COOPER, and                     )  
(5) KATIE MCCULLAR, LPN,                 )  
  )  
Defendants.                         )

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**EXHIBITS IN SUPPORT OF DEFENDANT, TURN KEY HEALTH CLINICS, LLC  
MOTION FOR SUMMARY JUDGMENT ON ALL CLAIMS AND BRIEF IN SUPPORT**

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**Exhibit 9 Cooper Deposition**

1                   THE WITNESS: No.

2           Q    (By Mr. Smolen) Okay. Did anyone tell  
3       you on 11/11/16 that Mr. Buchanan had been seen  
4       and was found to have a decreased range of  
5       motion in his upper and lower extremities?

6           A    Not that I recall.

7           Q    Had you been told that, would you have  
8       taken additional steps at that time?

9                   MR. MILLER: Object to the form.

10                  MR. YOUNG: Object to the form.

11                  THE WITNESS: Not if the complaint  
12       was decreased range of motion.

13           Q    (By Mr. Smolen) Okay. Why not?

14           A    Because decreased range of motion is  
15       usually secondary to arthritis.

16           Q    That's a -- from a physician's  
17       standpoint you think a decreased range of motion  
18       is secondary to arthritis?

19           A    Yes.

20           Q    You can't think of any other reasons for  
21       decreased range of motion?

22                  MR. MILLER: Object to the form.

23                  MR. YOUNG: Object to the form.

24                  THE WITNESS: I can think of other  
25       reasons, but that would have been the top thing

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1 if all he was doing was complaining of pain.

2 Q Well, that's not all he was complaining  
3 of, was it?

4 A Well, all -- when he first came in he  
5 was.

6 Q No, he was complaining of decreased  
7 range of motion?

8 A When he first came in?

9 Q Yeah.

10 MR. YOUNG: Look at the intake form.

11 THE WITNESS: Okay. Are you on 1,  
12 009?

13 THE WITNESS: Yeah, I got increased  
14 discomfort in movement.

15 Q (By Mr. Smolen) You don't think that  
16 there's an increased discomfort in movement?

17 A That -- that's very common in people  
18 that have been in a motor-vehicle accident  
19 recently.

20 Q That it's increasing?

21 MR. MILLER: Object to the form.

22 MR. YOUNG: Object to the form.

23 THE WITNESS: During movement, yes.

24 Q (By Mr. Smolen) Over the time that --  
25 that the pain is increased and you think that is